



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/584,223

05/17/2007

Junko Suginaka

80552(302741)

1304

21874

7590

09/19/2008

EDWARDS ANGELL PALMER & DODGE LLP

P.O. BOX 55874

BOSTON, MA 02205

EXAMINER

CRANFORD, MICHAEL D

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

09/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,223	Applicant(s) SUGINAKA, JUNKO	
	Examiner MICHAEL D. CRANFORD	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/23/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/23/06, 05/1/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 23 June 2006.
2. Claims 1-8 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statements filed 23 June 2006 and 01 May 2007 have been considered. Initialed copies of the Form 1449 are enclosed herewith.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.

Art Unit: 3692

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
6. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Felsher (US PGP 2002/0010679 A1) in view of Guheen et al. (US 6,519,571 B1).

7. Claim 1:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *information storage means for storing personal information and electronic money information (see at least page 27 paragraph 0172)*
- *short-distance communication means for making short-distance communications in a noncontact manner (see at least page 28 paragraph 0175)*
- *pair relationship establishment means that receives a pair relationship establishment request signal from a mobile terminal by said short-distance communication means and transmits personal identification information to said mobile terminal by said short-distance communication means (see at least page 28 paragraph 0175)*
- *information providing control means that receives electronic money information from a financial institution terminal by said short-distance communication means and transmits said electronic money information by said short-distance communication means to a mobile terminal with which said pair relationship has been established (see at least page 29 paragraph 0180)*

8. Claim 2:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *information providing control means receives an electronic money increase request signal of a predetermined designated amount of money from said mobile terminal by said short-distance communication means (see at least page 29 paragraph 0180)*

- *transmits an electronic money increase signal of said designated amount of money to a mobile terminal by said short-distance communication means (see at least page 29 paragraph 0180)*

9. Claim 3:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *personal information storage device is integrated with something that a user wears (see at least page 27 paragraph 0172)*

Felsher does not specifically disclose an information storage device that is integrated with something that a user wears, however it would have been obvious to one skilled in the art at the time of invention to modify Felsher to include an information storage device integrated with something that a user wears because this would give the user a way to have immediate access to information, since the information is being worn or carried by user.

10. Claim 4:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *short-distance communication means for making short-distance communications in a noncontact manner (see at least page 28 paragraph 0175)*
- *pair registration means that transmits a pair relationship establishment request signal to a personal information storage device by said short-distance communication means (see at least page 28 paragraph 0175)*
- *receives personal identification information from said personal information storage device by said short-distance communication means, and registers said personal information storage device as having a pair relationship (see at least page 28 paragraph 0175)*
- *user setting means for setting and storing personal information including electronic money information by receiving it by said short-distance communication means from said personal information storage device registered as having the pair relationship (see at least page 29 paragraph 0180)*

- *use permission means that transmits a use permission request signal to a personal information storage device set as having the pair relationship by said short-distance communication means (see at least page 28 paragraph 0175)*
- *receives a use permission signal from said personal information storage device by said short-distance communication means, and makes this mobile terminal available (see at least page 28 paragraph 0175)*

11. Claim 5:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *electronic money increase means that designates a predetermined amount of money and transmits an electronic money increase request signal by said short-distance communication means to a personal information storage device set as having a pair relationship (see at least page 29 paragraph 0180)*
- *receives an electronic money increase signal of said designated amount of money from said personal information storage device by said short- distance communication means and stores it (see at least page 29 paragraph 0180)*

12. Claim 6:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device (see at least page 28 paragraph 0175)*

13. Claim 7:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *personal information storage device is integrated with something that a user wears (see at least page 27 paragraph 0172)*

Felsher does not specifically disclose an information storage device that is integrated with something that a user wears, however it would have been obvious to one skilled in the art at the

Art Unit: 3692

time of invention to modify Felsher to include an information storage device integrated with something that a user wears because this would give the user a way to have immediate access to information, since the information is being worn or carried by user.

14. Claim 8:

The combination of Felsher and Guheen et al. discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device (see at least page 28 paragraph 0175)*

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Kambiz Abdi** can be reached at **571-272-6705**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

Office Customer Service Window:

Randolph Building
401 Dulany Street
Alexandria, VA 22314.

/ Michael Cranford / Examiner / Art Unit 4143 /

/Frantzy Poinvil/
Primary Examiner, Art Unit 3692

September 14, 2008